

By: White

H.B. No. 554

A BILL TO BE ENTITLED

AN ACT

relating to the sale of fireworks on and before the Labor Day holiday.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2154.202(g), Occupations Code, is amended to read as follows:

(g) Except as provided by Subsection (h), a retail fireworks permit holder may sell fireworks only to the public, and only during periods:

(1) beginning June 24 and ending at midnight on July 4;

(2) beginning five days before Labor Day and ending at midnight on Labor Day;

(3) beginning December 20 and ending at midnight on January 1 of the following year; and

(4) (3) ~~(3)~~ beginning May 1 and ending at midnight on May 5 if the fireworks are sold at a location that is not more than 100 miles from the Texas-Mexico border and that is in a county in which the commissioners court of the county has approved the sale of fireworks during the period.

SECTION 2. Section 352.051(b)(1), Local Government Code, is amended to read as follows:

(1) The Texas A&M Forest Service in the ordinary course of its activities shall determine whether drought conditions, as defined under Subsection (a)(2), exist on average in

1 any county requesting such a determination. The Texas A&M Forest  
2 Service shall make available the measurement index guidelines used  
3 to determine whether drought conditions exist in a particular area.  
4 Following any determination that such drought conditions exist, the  
5 Texas A&M Forest Service shall notify said county or counties when  
6 such drought conditions no longer exist. The Texas A&M Forest  
7 Service shall make its services available each day during the Texas  
8 Independence Day, San Jacinto Day, Memorial Day, Fourth of July,  
9 Labor Day, and December fireworks seasons to respond to the request  
10 of any county for a determination whether drought conditions exist  
11 on average in the county.

12 SECTION 3. Section 352.051(d), Local Government Code, is  
13 amended to read as follows:

14 (d) To facilitate compliance with an order adopted under  
15 Subsection (c), the order must be adopted before:

16 (1) February 15 of each year for the Texas  
17 Independence Day fireworks season;

18 (2) April 1 of each year for the San Jacinto Day  
19 fireworks season;

20 (3) April 25 of each year for the Cinco de Mayo  
21 fireworks season;

22 (4) May 15 of each year for the Memorial Day fireworks  
23 season;

24 (5) June 15 of each year for the Fourth of July  
25 fireworks season; ~~and~~

26 (6) August 15 of each year for each Labor Day fireworks  
27 season; and

1           (7) December 15 of each year for each December  
2 fireworks season.

3           SECTION 4. This Act takes effect immediately if it receives  
4 a vote of two-thirds of all the members elected to each house, as  
5 provided by Section 39, Article III, Texas Constitution. If this  
6 Act does not receive the vote necessary for immediate effect, this  
7 Act takes effect September 1, 2017.